

Serial No. 10/042,150
Amdt. dated December 2, 2003
Reply to Office Action of September 2, 2003

Docket No. K-0388

REMARKS/ARGUMENTS

Claims 1, 3 and 6-13 are pending in this application. By this Amendment, the abstract, specification and claims 1, 3, and 6 are amended, claims 2 and 4-5 are cancelled without prejudice or disclaimer, and claims 7-13 are added. The specification has been amended to incorporate appropriate reference numerals and contains no new matter. The Abstract is amended to correct informalities and contains no new matter. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 1-6 under 35 U.S.C. §102(b) as being anticipated by either Moser, U.S. Patent No. 5,279,799, Hofer, U.S. Patent No. 2,786,480, or Hambleton et al., U.S. Patent No. 5,010,660. Claims 2 and 4-5 are cancelled. The rejection, in so far as it applies to claims 1, 3, and 6, is respectfully traversed.

Independent claim 1 recites, *inter alia*, a plurality of injector nozzles provided on a center portion of an upper surface of the washing duct, wherein the injector nozzles are configured to wash endoscopes placed on a center portion of the rack, and an upper spray arm provided on a lower portion of the washing duct and configured to spray washing water toward the rack so as to wash other medical instruments placed on side portions of the rack. Moser, Hofer and Hambleton fail to disclose or suggest such features.

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Rather, Moser discloses an apparatus for cleaning and testing endoscopes, in which a body of the cleaning machine is divided into three sections, a center section 12, an upper section 14, and a lower section 16. The center section 12 functions as a cleaning chamber, and accommodates cages 18 within chamber portions 13 and 15. Endoscopes to be cleaned are loaded into the cages 18 and then wheeled into the chamber portions 13 and 15 of the center section 12. A spray arm 19 delivers cleaning fluid to clean the endoscopes. See col. 3, line 64 - col. 4, line 23 of Moser.

Excess cleaning fluid is collected in a pool 20 of a lower section 16 of the machine body 10. A heating element 21 provided in the lower section 16 reheats the liquid, and a pump 22 re-circulates the cleaning fluid to the spray arm 19. See col. 4, lines 17-23 of Moser. Fans 30 which generate drying air are provided in an upper section 14 of the machine body 10 and facilitate drying of the endoscopes when the cleaning process is complete. See col. 4, lines 40-45 of Moser. Only the center section 12 is able to accommodate instruments to be cleaned, and is limited to cleaning only endoscopes due to the nature and configuration of the cages 18. Moser clearly does not disclose or suggest cleaning endoscopes in a center portion of the rack, and other instruments at side portions of the rack. Further, Moser discloses only a spray arm 19 and does not disclose or suggest a plurality of injector nozzles in addition to the spray arm 19. Accordingly, it is respectfully submitted that independent claim 1 is not anticipated by Moser.

Further, Hofer discloses a machine 10 for washing test tubes, bottles, pipettes and like articles formed by a casing 11 having a back wall 12 and a front wall 14, which includes an opening 15 and a door 16. An opening 31 in the back wall 12 allows connection between a fixed pipe 32 and a male coupling element 33. A front end 34 of the male coupling element 33 is tapered to allow for coupling with female coupling element 40 attached to a header 42. A series of branch pipes 44 extend outward from a central pipe portion 43 of the header 42, and a plurality of openings 80 with small tubes 81, stainless steel tubes 82, and tips 83 provided therein form spindles along the length of the pipes 43 and 44. Water passing through the tube 32, couplings 34 and 40, pipe 43, and branch pipes 44 sprays through the tip 83 and washes test tubes which are in an inverted position on the spindles.

Hofer's washing machine 10 is designed specifically for washing test tubes, pipettes, bottles, and like articles, and is limited in its capacity to accommodate instruments of varying size and shape. Hofer does not disclose or suggest cleaning endoscopes in a center portion of the rack, and other instruments at side portions of the rack. Further, Hofer does not disclose or suggest a plurality of injection nozzles used in conjunction with a spray arm. Accordingly, it is respectfully submitted that independent claim 1 is not anticipated by Hofer.

Hambleton discloses a washing and drying machine 10 for glassware, with a washing and drying compartment 22 formed within a cabinet 12. See Figure 1 of Hambleton. A hinged door 26 allows access to the compartment 22 from the front of the machine 10. A pump 28 pumps

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washing and rinsing liquid into a rotary spray arm 32. When water is applied to the rotary spray arm 32 under pressure by the pump 28, water is discharged through a series of openings 34 spaced along the spray arm 32. Glassware to be washed is loaded onto upstanding spindle tubes 62 formed along the length of horizontal arms 54 of a rack 38, and rolled into the compartment 22. The glassware is then cleaned by the upward spray of washing and rinsing fluid through the openings 34 into the inverted glassware loaded on the rack 38. See col. 3, line 50 - col. 4, line 42 of Hambleton.

Hambleton does not disclose or suggest a plurality of injector nozzles provided on a center portion of an upper surface of the washing duct, in addition to an upper spray arm provided on a lower portion of the washing duct. Rather, Hambleton discloses a single rotary spray arm 32. Further, Hambleton's rack 38 and spindle tubes 62 are specifically designed to accommodate flasks of varying size. Hambleton does not disclose or suggest washing different types of instruments on a single rack. Accordingly, it is respectfully submitted that independent claim 1 is not anticipated by Hambleton.

Based on the arguments set forth above, it is respectfully submitted that independent claim 1 is not anticipated by Moser, Hofer, or Hambleton, and thus the rejection of independent claim 1 under 35 U.S.C. §102(b) should be withdrawn. Dependent claims 3 and 6 are allowable at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

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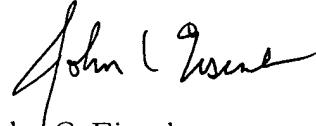
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New claims 7-13 are added to the application. It is respectfully submitted that new claims 7-13 also define over the references of record and meet the requirements of 35 U.S.C. §112.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carol L. Druzbick, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
FLESHNER & KIM, LLP



John C. Eisenhart
Registration No. 38,128
Carol L. Druzbick
Registration No. 40,287

Enclosures:
Substitute Abstract

P.O. Box 221200
Chantilly, Virginia 20153-1200
703 502-9440 JCE/CLD/JKM:jlg
Date: December 2, 2003

Please direct all correspondence to Customer Number 34610

ABSTRACT

A medical instrument washer is provided which includes a rack drawably fitted in a washing tub, for setting washing objects thereon, a flow passage having one end located on a rear side of the washing tub for supplying washing water to the rear side, and a washing duct on the rack having a washing water inlet in rear part thereof so as to be detachably connected to one end of the flow passage as the rack is drawn/pushed in. The medical instrument washer so constructed reduces washing water quantity, and pressure loss of washing water by improving a flow passage of the medical instrument washer.